

Express Mailing Label No. EV 302 233 575 US

PATENT APPLICATION

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**UNITED STATES PATENT APPLICATION**

of

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for

**SELECTIVELY ADJUSTABLE LABEL**

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## **SELECTIVELY ADJUSTABLE LABEL**

### **CROSS-REFERENCE TO RELATED APPLICATIONS**

**[001]** This application is a continuation application of U.S. Patent Application Serial No. 10/229,198, filed August 27, 2002 and entitled "Selectively Adjustable Label," which application is incorporated by reference herein in its entirety.

### **BACKGROUND OF THE INVENTION**

1. The Field of the Invention

**[002]** The present invention relates to labels used for marketing products. More specifically, the present invention relates to a selectively adjustable label.

2. The Relevant Technology

**[003]** Almost every consumer good (usually required by law) has a corresponding label which provides relevant knowledge about the product to the consumer. In addition to informational purposes, unique or distinctive packaging of goods has proved beneficial in enticing consumers to buy a certain product. The present invention relates to labels used in marketing of products.

## BRIEF DESCRIPTION OF THE DRAWINGS

- [004] Various embodiments of the present invention will now be discussed with reference to the appended drawings. It is appreciated that these drawings depict only typical embodiments of the invention and are therefore not to be considered limiting of its scope.
- [005] Figure 1 illustrates a perspective view of a label of the present invention in a retracted position;
- [006] Figure 2 illustrates a perspective view of the label of Figure 1 in an extended position;
- [007] Figure 3A illustrates a top view of the label of Figure 1 in a retracted position;
- [008] Figure 3B illustrates a top view of the label of Figure 1 in an extended position;
- [009] Figure 4A illustrates a side view of the label of Figure 1 in a retracted position;
- [010] Figure 4B illustrates a side view of the label of Figure 1 in an extended position;
- [011] Figure 5A illustrates a side view of another embodiment of the label of the present invention in a retracted position;
- [012] Figure 5B illustrates a side view of the embodiment of Figure 5A in an extended position;
- [013] Figure 6A illustrates a side view of yet another embodiment of the label of the present invention in a retracted position;

[014] Figure 6B illustrates a side view of the embodiment of Figure 6A in an extended position; and

[015] Figure 7 illustrates a perspective view of the label of the present invention in connection with a selectively adjustable device.

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## **DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS**

[016] The present invention provides labels which may be implemented in conjunction with various selectively adjustable devices. Throughout this description, it will be appreciated that the present invention is not limited to the particular devices described in the following description. Rather, the labels of the present invention may be readily employed in conjunction with a variety of devices in accordance with the teachings of the present invention.

[017] In one embodiment, shown in Figure 1, a label of the present invention is used with a container that is selectively adjustable between a retracted position and an extended position. A container similar to that shown in Figure 1 is discussed in greater detail in U.S. Patent Application Serial No. 10/229,197, herein incorporated by reference. Figure 1 depicts a container 10 comprising a first portion 12 having a first end 11 and a second end 13 and a second portion 14 having a first end 15 and a second end 17. First portion 12 includes a bottom surface 16, first and second sidewalls 18, 20, and an end wall 22. Likewise, second portion 14 includes a bottom surface 24, first and second sidewalls 26, 28, and an end wall 30. First portion 12 and second portion 14 have a substantially U-shaped cross-section. Container 10 also has an inside surface 36 and an outside surface 38. First portion 12 is slidably coupled with second portion 14. Thus, container 10 is selectively adjustable between a retracted position 32 and an extended position 34.

[018] As used in the specification and claims, the term "retract" refers to the position of the device when it is being drawn inward. The term "extend" refers to the position of the device when it is being drawn outward. In one embodiment, the device has adjustable limits which limit the extent of retraction or extension. Where a device

has adjustable limits, the device may be selectively adjusted between a fully retracted and a fully extended position. It will be appreciated that the device may be selectively adjusted an infinite number of distances between a fully retracted position and a fully extended position.

[019] Figures 1 and 2 show a label 50 in accordance with the present invention disposed on bottom surfaces 16, 24 of container 10. Label 50 may have various indicia or wording printed, engraved, painted, or otherwise disposed thereon. In the embodiment shown in Figures 1 and 2, label 50 is disposed on inside surface 36 of container 10. Label 50 has a first end 52, a second end 54, and an intermediate portion 56. First end 52 and second end 54 of label 50 are connected to first portion 12 and second portion 14, respectively, of container 10. Label 50 may be connected to container 10 by any suitable means, such as, but not limited to, adhesive, staples, clips, and the like. Intermediate portion 56 is configured to be selectively adjustable between a retracted position 58 and an extended position 60.

[020] As used in the specification and claims, the term "retract" refers to the position of the label when it is being drawn inward. The term "extend" refers to the position of the label when it is being drawn outward. In one embodiment, the label has adjustable limits which limit the extent of retraction or extension. Where a label has adjustable limits, the label may be selectively adjusted between a fully retracted and a fully extended position. It will be appreciated that the label may be selectively adjusted an infinite number of distances between a fully retracted position and a fully extended position.

[021] In the embodiment shown in Figures 1-4B, intermediate portion 56 is configured to be selectively adjustable by having a folded portion 62. Folded portion

62 comprises folds 64 which, when label 50 is in a retracted position 58, are compressed such that a portion of intermediate portion 56 is obscured from view. As used in this specification and claims, the term "obscure" is used to refer to a portion of label 50 that is not clearly seen or easily distinguished. The term "obscure" also includes a portion of label 50 that is hidden so as to not be clearly seen or easily distinguished. When label 50 is in an extended position 60, folds 64 at least somewhat decompress so that at least a portion of the intermediate portion 56 that was obscured is now clearly seen or easily distinguished. It will be appreciated that folded portion 62 may comprise a single fold or multiple folds. Folded portion 62 is but one embodiment for obscuring a portion of intermediate portion 56.

**[022]** In one embodiment, the fully extended position of label 50 corresponds to the fully extended position of container 10. In other words, when both label 50 and container 10 are in a fully extended position, the length of label 50 is substantially the same as the length of container 10. In another embodiment, the fully extended position of label 50 does not correspond to the fully extended length of container 10. In this embodiment, label 50 may in fact limit the extension of container 10.

**[023]** In another embodiment, not depicted in the figures herein, the label of the present invention may be disposed on the outside surface of the device. For example, the label could be disposed on outside surface 38 of container 10. First end 52 and second end 54 of label 10 would be connected to the outside surfaces of first portion 12 and second portion 14, respectively, of container 10.

**[024]** Shown in Figures 5A and 5B, label 100 may comprise a single piece of material, which piece is selectively adjustable between a retracted position 58 and an extended position 60. In the embodiment of Figures 5A and 5B, intermediate portion

56 is configured to be selectively adjustable by having a substantially S-shaped curve 70. At least a portion of S-shaped curve 70 comprises a flexible material which wraps around bottom surface 16 of first portion 12 and doubles over between first portion 12 and second portion 14 of container 10. Depicted in Figure 5A, when container 10 is in a retracted position 32, label 100 is also in a retracted position 58 wherein at least a portion of intermediate portion 56 remains obscured underneath first portion 12. Depicted in Figure 5B, when container 10 is in an extended position 34, label 100 is in an extended position 60 wherein a portion of the intermediate portion 56 that was obscured is clearly seen or easily distinguished. In one embodiment, label 100 is attached to second end 17 of second portion 14 so that intermediate portion 56 can more easily fold underneath first portion 12 of container 10.

[025] Figures 6A and 6B show an embodiment of label 150 comprising two pieces configured to act as a single label. Intermediate portion 56 comprises a first portion 66 disposed on bottom surface 16 of first portion 12 of container 10. Intermediate portion 56 also comprises a second portion 68 disposed on bottom surface 24 of second portion 14 of container 10. In one embodiment, first portion 66 and second portion 68 lie substantially flat on bottom surfaces 16, 24 such that when container 10 is in a retracted position 32, a portion of second portion 68 of label 150 lies obscured underneath first portion 66. Thus, in a retracted position 58, at least a portion of intermediate portion 56 is obscured. In an extended position 60, at least a portion of intermediate portion 56 that was obscured is clearly seen or easily distinguished.

[026] It will be appreciated that the device may comprise more than two portions. Accordingly, the label of the present invention may be attached to any two of the multiple portions.

**[027]** In one embodiment, the label of the present invention is removably attached to the device so as to allow normal, everyday use of the device. Suitable materials for the label of the present invention may be paper, plastic (e.g., cellophane), an elastomeric material, thin metal, Mylar, and other materials suitable for packaging purposes.

**[028]** It will be appreciated that the label of the present invention is not limited to the devices described in the present invention, but may be used in conjunction with a variety of devices. For example, as depicted in Figure 7, label 50 is used in conjunction with a toy 200, the toy 200 being selectively adjustable between a retracted position and an extended position. Other devices which may be suitable for use with a label of the present invention include, but are not limited to, electronics, automobiles, housewares, appliances, and the like.

**[029]** The present invention may be embodied in other specific forms without departing from its spirit or essential characteristics. The described embodiments are to be considered in all respects only as illustrative and not restrictive. The scope of the invention is, therefore, indicated by the appended claims rather than by the foregoing description. All changes which come within the meaning and range of equivalency of the claims are to be embraced within their scope.

**[030]** What is claimed and desired to be secured by United States Letters Patent is: